

REMARKS

The Office Action mailed January 6, 2009 has been received and carefully noted. Claims 1-17 are currently pending in the subject application and are presently under consideration.

Claims 1-5, 7, 9-13, 15, and 17 have been amended herein. A listing of claims can be found on pages 2-10 of this Response.

Favorable reconsideration of the pending claims is respectfully requested in view of the amendments and the following comments.

I. Rejection of Claims Under 35 U.S.C. § 102(b)

Claims 1, 3, 5, 9, 11, 13, and 17 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Skodras *et al.* "The JPEG 2000 Still Image Compression Standard," IEEE Signal Processing Magazine, Sept 2001, page 36-58 (hereinafter Skodras). It is requested that these rejections be withdrawn for at least the following reason. Skodras does not describe each and every element of the claims.

For a prior art reference to anticipate, 35 U.S.C. §102 requires that "each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference."

In re Robertson, 169 F.3d 743, 745, 49 USPQ2d 1949, 1950 (Fed. Cir. 1999) (*quoting Verdegaal Bros., Inc. v. Union Oil Co.*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987)). In particular, amended independent claim 1 recites:

a first-level storing unit to store the compressed codes of the ***first hierarchical layer***, without the compressed codes of the second hierarchical layer, ***in a first computer***; and
a second-level storing unit to separately store the compressed codes of the ***second hierarchical layer***, without the compressed codes of the first hierarchical layer, ***in a second computer***.

(emphasis added). Independent claims 3, 5, 9, 11, 13, and 17 have been similarly amended. The Examiner notes that it is inherent in Skodras "that no two pieces of information can be stored at the same physical location and time" (*See* Office Action mailed January 6, 2009, pg. 3). The Applicant notes that the amended claims recite code of one layer and code of another layer being

stored in two different computers. For example, for an image including a first hierarchical layer and a second hierarchical layer, code of the first hierarchical layer is stored in a first computer and code of the second hierarchical layer is stored in a second computer. Skodras is silent regarding these limitations.

Accordingly, it is respectfully requested that these rejections be withdrawn.

II. Rejection of Claims Under 35 U.S.C. § 103(a)

Claims 2, 4, 7, 10, 12, and 15 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Skodras, in view of U.S. Patent No. 6,070,167 of Qian (hereinafter Qian). Claims 6 and 14 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Skodras, in view of U.S. Patent Pub. No. 2002/0091665 of Beek *et al.* (hereinafter Beek). Claims 8 and 16 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Skodras, in view of Qian and Beek. The Applicant respectfully requests withdrawal of these rejections because the combination of cited references does not teach or suggest all of the limitations of the claim. The Applicant respectfully submits that amended independent claim 2 is patentable over the combination of cited references for similar reasons as described above with respect to claim 1. Claims 4, 7, 10, 12, and 15 are similarly amended.

In particular, the cited references fail to disclose “a ***first electronic equipment*** of the other electronic equipments to store a ***first compressed code*** for a first hierarchical layer without a second compressed code for a second hierarchical layer, wherein a ***second electronic equipment*** of the other electronic equipments to store the ***second compressed code*** for the second hierarchical layer without the first compressed code for the first hierarchical layer” (emphasis added). The Examiner states that Qian discloses “storing information intoother electronic equipments” at col. 3, ll. 31-34 (*See* Office Action mailed January 6, 2009, pg. 4), but this passage discloses “image datatransmitted or storedin a channel, in a server, or over a network.” Thus, while Qian discloses storing image data (including all layers) in a channel, server, *etc.*, Qian does not disclose splitting this image data and storing one layer of the image in “a first electronic equipment” and another layer of the image in “a second electronic equipment.” Rather, all layers of the image in Qian are stored together, *e.g.*, in one server. Therefore, Skodras and Qian do not teach or suggest all the limitations of the claims.

Given that the combination of the references fails to teach or suggest all of the limitations of claims 2, 4, 7, 10, 12, and 15, the Applicant respectfully submits that these claims are

patentable over the cited references. The Applicant does not discern any part of Beek that cures the aforementioned deficiencies. Given that claims 6 and 14 depend from claims 5 and 13, respectively, which are patentable over the cited references, the Applicant respectfully submits that claims 6 and 14 are also patentable over the cited references. Given that claims 8 and 16 depend from claims 7 and 15, respectively, which are patentable over the cited references, the Applicant respectfully submits that claims 8 and 16 are also patentable over the cited references. Accordingly, the Applicant respectfully requests that the rejections of claims 2, 4, 6-8, 10, 12, and 14-16 under 35 U.S.C. § 103(a) be withdrawn.

CONCLUSION


Accordingly, the Applicant respectfully submits that the objections and the rejections have been overcome by the amendments and the remarks and withdrawal of these rejections is respectfully requested. The Applicant submits that the pending claims, as amended, are in condition for allowance and such action is earnestly solicited.

If there are any additional charges, please charge Deposit Account No. 02-2666 for any fee deficiency that may be due.

Respectfully submitted,

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CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being submitted to the United States Patent and Trademark Office electronically via EFS Web on the date shown below.

 4-3-09
Angela Quinn April 3, 2009 Date